PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 215743/RV/jn	FOR FURTHER ACTION	See item 4 below
International application No. PCT/NL2005/000434	International filing date (day/month/year) 14 June 2005 (14.06.2005)	Priority date (day/month/year) 15 June 2004 (15.06.2004)
International Patent Classification (8th See relevant Information In Form P		
Applicant TECHNISCHE UNIVERSITEIT EIN	ZDHOVEN	· · · · · · · · · · · · · · · · · · ·

1.	This international preliminary re- International Searching Authority	port on patentability (Chapter I) is issued by the International Bureau on behalf of the y under Rule 44 $his.1(a)$.
2.	This REPORT consists of a total	of 7 sheets, including this cover sheet.
	In the attached sheets, any refere to the international preliminary re	nce to the written opinion of the International Searching Authority should be read as a reference eport on patentability (Chapter I) instead.
3.	This report contains indications r	elating to the following items:
	Box No I	Basis of the report
	Box No. II	Priority
	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
	Box No. IV	Lack of unity of invention
	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	Box No. VI	Certain documents cited
	Box No. VII	Certain defects in the international application
	Box No. VIII	Certain observations on the international application
4.		numuricate this report to designated Offices in accordance with Rules 44big.3(c) and 93big.1 but takes an express request under Article 23(2), before the expiration of 30 months from the priority

	Date of issuance of this report 20 December 2006 (20.12.2006)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized offices Nora Lindner
Facsimile No. +41 22 338 82 70	e-mail: pt02@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

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	cant's or agent's life form PCT/ISA/2		•		FOR FURT See paragraph		TION	
	national application 1 FAIL2005/000434		International 14.06.2005		day/month/year)		Priority date (day/month/yes 15.06.2004	t)
	national Patent Clas . H05H1/24 A611		both national cl	essification	and IPC			
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Appl	CHNISCHE UNIV	/ERSITEIT EII	NDHOVEN					
1.	This opinion co	ntains indication	ons relating	to the foll	owing items:			
1	⊠ Box No. I	Basis of the on	inion					
	☐ Box No. !I	Priority						
	☐ Box No. III	Non-establish	nent of opinio	n with rega	ard to novelty, i	evitrevn	step and Industrial applic	ability
	☐ Box No. IV	Lack of unity o						
	☑ Box No. V	Reasoned stat applicability; ci	ement under tations and ex	Rule 43 <i>bis</i> planations	:.1(a)(i) with reg s supporting su	gard to no ch staten	ovelty, inventive step or i nent	ndustrial
	☐ Box No. VI	Certain docum	ents cited					
İ	Box No. VII	Certain defects						
1	☐ Box No. VIII	Certain observ	ations on the	oftanrefni	nal application			
2. ·	FURTHER ACT							
	If a demand for the written opinion of the applicant che international Burwill not be so con	reau under Rule	liminary exam al Preliminary ily other than 66.1 <i>bis</i> (b) the	ination is i Examinin this one to it written o	made, this opining Authority ("IP) be the IPEA a pinions of this I	lon will us EA*) exce nd the ch Internatio	sually be considered to be apt that this does not app losen IPEA has notifed to nat Searching Authority	e a oly where ne
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3.	For further detail	ls, see notes to	Form PCT/ISA	V220.				-69
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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/NL2005/000434

	Box	c N	o. I Basis of the opinion
1.	Wit	h re	gard to the language, this opinion has been established on the basis of:
	⊠	the	international application in the language in which it was filed
		a t pu	ranslation of the International application Into , which is the language of a translation furnished for the rposes of international search (Rules 12.9(a) and 23.1 (b)).
2.			gard to any nucleotide and/or amino acid sequence disclosed in the international application and ary to the claimed invention, this opinion has been established on the basis of:
	a. ty	/pe	of material:
	i	3	a sequence listing
	[3	table(s) related to the sequence listing
	b, to	orm	at of material:
	[]	on paper
]	in electronic form
	c. ti	me	of filing/furnishing;
	[contained in the international application as filed.
	[filed together with the international application in electronic form.
	[furnished subsequently to this Authority for the purposes of search.
3.		he	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto s been filed or turnished, the required statements that the information in the subsequent or additional ples is identical to that in the application as filed or does not go beyond the application as filed, as propriate, were turnished.

4. Additional comments:

Box No. V Resoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Statement

Novelty (N) Yes: Claims 2-6, 8, 13-22

No: Claims 1,7,9-12

Inventive step (IS) Yes: Claims 16-18
No: Claims 1-15, 19-22

140. Oldinis 1-10, 10-22.

Industrial applicability (IA) Yes: Claims No: Claims

2. Citations and explanations

see separate sheet

Re Item V.

Reference is made to the following documents:

D1: US-B1-6475217 D2: WO-A1-01/70114 D3: US-A-5163910 D4: WO-A2-01/62169 D5: WO-A1-95/24111

- The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 7, 9-12 is not new in the sense of Article 33(2) PCT.
- 1.1 The document D1, which is regarded as being the closest prior art to the subject-matter of claim 1, discloses (see fig. 3, 5; the references in parentheses applying to this document):

A device for generating a local cold plasma (46) over the surface of an object (50), comprising a HF power source (22), a plasma chamber (40), an active electrode (48) placed in the plasma chamber (40) and electrically connected to the HF power source (22), a passageway (28) for a plasma gas leading to the plasma chamber (40) nearby the active electrode (48), with steering means (150) capable of orienting the active electrode (48) with reference to the object (50).

The subject-matter of claim 1 is therefore not new, according to Article 33(2) PCT.

- 1.2 Further, D1 discloses an assembly containing all the additional features of dependent claims 7, 9-12, which therefore are not new. In particular:
 - claim 7: the steering means comprises a shape memory material (col. 4, lines 18-22);
 - claim 9: the steering means is placed around the active electrode (fig.3, 5);
 - claims 10-12: the device comprises a catheter, with a proximal end and a distal end,

where the active electrode is placed in the distal end, which forms an open plasma chamber (fig.3, 5).

- Dependent claims 2-6, 8, 13-15, 19-22 do not contain any features which, in combination
 with the features of any claim to which they refer, meet the requirements of the PCT in
 respect of inventive step (Article 33(3) PCT), the reasons being as follows:
- 2.1 The subject-matter of claims 2-5 is obvious in the light of D1 and D2 (page 25, lines 5-10; page 35, line 26 - page 36, line 6);
- 2.2 The subject-matter of claim 6 is obvious in the light of D1 and D3 (col. 5, lines 60-67);
- 2.3 The subject-matter of claim 8 is obvious in the light of D1 and D2 (page 37, lines 1-16);
- 2.4 The subject-matter of claims 13-15 is obvious in the light of D1 and D4 (page 42, lines 24-29);
- 2.5 The subject-matter of claim 19 is obvious in the light of D1 and D3 (col. 5, lines 42-46);
- 2.6 The subject-matter of claims 20-22 is obvious in the light of D1 and D5 (page 3, lines 18-21; page 5, line 29 - page 6, line 9).
- 3. The combination of the features of dependent claims 16-18 is neither known from, nor rendered obvious, by the prior art, the reasons being as follows: The possibility for the gas to flow coaxially outside the outer conductor, and with distance rings placed between the outer conductor and the external casing, is not suggested by the available prior art.

Additional remark

The drawing reference signs should be indicated in the claims (Guidelines, 5.11).

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/NL2005/000434

PATENT COOPERATION TREATY

INTERNATIONAL SEARCHING AUTHORITY REC'D 2 3 MAY 2006 To: Wibo WRITTEN OPINION OF THE see form PCT/ISA/220 INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) Date of malling (dav(month/year) see form PCT/ISA/210 (second sheet) Applicant's or agent's file reference FOR FURTHER ACTION see form PCT/ISA/220 See paragraph 2 below International application No. International filing date (day/month/ear) Priority date (day/month/year) 14 06 2005 15.06.2004 PCTAIL 2005/000434 International Patent Classification (IPC) or both national classification and IPC INV. H05H1/24 A61B18/00 Applicant TECHNISCHE UNIVERSITEIT EINDHOVEN This opinion contains indications relating to the following items: Box No. 1 Basis of the opinion Box No. 11 Priority ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability ☐ Box No. IV Lack of unity of invention Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive slep or industrial Box No. V applicability; citations and explanations supporting such statement ☐ Box No. VI Certain documents cited □ Box No. VII Certain defects in the international application Box No. VIII Certain observations on the international application 2. FURTHER ACTION If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the international Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the choosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PC/TISA220 to before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

For further details, see notes to Form PCT/ISA/220.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/NL2005/000434

	Box	c No	o.1 Basis of the opinion
١,	Witi	h re	gard to the language, this opinion has been established on the basis of:
	Ø	the	international application in the language in which it was filed
			ranslation of the International application into , which is the language of a translation furnished for the poses of international search (Rules 12.3(a) and 23.1 (b)).
2.	Witi	h re	gard to any nucleotide and/or amino acid sequence disclosed in the international application and ary to the claimed invention, this opinion has been established on the basis of:
	a. t	ype	of material:
	-		a sequence listing
	-		table(s) related to the sequence listing
	b. fe	orm	at of material:
	-		on paper
	- 1		in electronic form
	c. ti	me	of filing/furn)shing:
	1		contained in the international application as filed.
	-		filed together with the international application in electronic form.
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4. Additional comments:

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Statement

Novelty (N) Yes: Claims 2-6, 8, 13-22

No: Claims 1, 7, 9-12

Inventive step (IS) Yes: Claims 16-18
No: Claims 1-15, 19-22

140. Olalilis 1-10, 10-22

Industrial applicability (IA) Yes: Claims
No: Claims

2. Citations and explanations

see separate sheet

Be Item V.

Reference is made to the following documents:

D1: US-81-6475217 D2: WO-A1-01/70114 D3: US-A-5163910 D4: WO-A2-01/62169 D5: WO-A1-95/24111

- The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 7, 9-12 is not new in the sense of Article 33(2) PCT.
- 1.1 The document D1, which is regarded as being the closest prior art to the subject-matter of claim 1, discloses (see fig. 3, 5; the references in parentheses applying to this document):

A device for generating a local cold plasma (46) over the surface of an object (50), comprising a HF power source (22), a plasma chamber (40), an active electrode (48) placed in the plasma chamber (40) and electrically connected to the HF power source (22), a passageway (28) for a plasma gas leading to the plasma chamber (40) nearby the active electrode (48), with steering means (160) capable of orienting the active electrode (48) with reference to the object (50).

The subject-matter of claim 1 is therefore not new, according to Article 33(2) PCT.

- 1.2 Further, D1 discloses an assembly containing all the additional features of dependent claims 7, 9-12, which therefore are not new. In particular:
 - claim 7: the steering means comprises a shape memory material (col. 4, lines 18-22);
 - claim 9: the steering means is placed around the active electrode (fig.3, 5);
 - claims 10-12: the device comprises a catheter, with a proximal end and a distal end,

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- Dependent claims 2-6, 8, 13-15, 19-22 do not contain any features which, in combination
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- 2.2 The subject-matter of claim 6 is obvious in the light of D1 and D3 (col. 5, lines 60-67);
- 2.3 The subject-matter of claim 8 is obvious in the light of D1 and D2 (page 37, lines 1-16);
- 2.4 The subject-matter of claims 13-15 is obvious in the light of D1 and D4 (page 42, lines 24-29);
- 2.5 The subject-matter of claim 19 is obvious in the light of D1 and D3 (col. 5, lines 42-46);
- 2.6 The subject-matter of claims 20-22 is obvious in the light of D1 and D5 (page 3, lines 18-21; page 5, line 29 - page 6, line 9).
- 3. The combination of the features of dependent claims 16-18 is neither known from, nor rendered obvious, by the prior art, the reasons being as follows: The possibility for the gas to flow coaxially outside the outer conductor, and with distance rings placed between the outer conductor and the external casing, is not suggested by the available prior art.
- Additional remark

The drawing reference signs should be indicated in the claims (Guidelines, 5.11).

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/NL2005/000434

(19) World Intellectual Property Organization International Bureau



(43) International Publication Date 29 December 2005 (29.12.2005)

(10) International Publication Number WO 2005/125287 A3

(51)	International Patent	Classification:
	H05H 1/24 (2006.01)	A61B 18/00 (2006.01)

n: 18/00 (2006.01) ar: PCT/NI.2005/000434

- (21) International Application Number:
- (22) International Filing Date: 14 June 2005 (14.06.2005)
- (25) Filing Language: Dutch
- (26) Publication Language: English
- (30) Priority Data: 1026422 15 June 2004 (15.06.2004) NL
- (71) Applicant (for all designated States except US): TECH-NISCHE UNIVERSITEIT EINDHOVEN [NL/NL]; Den Dolech 2, NL-5612 AZ Bindhoven (NL).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): STOS-FELS-ADAMONICE, Eve [BE/BE]; Tumboutsebaan 90, B-5470 Retie (BB), FRANKEN, Martijn [NL/NL]; Prunellapad 31, NL-5643 BW lindchoven (NL), STERN-BUCH, Maarten [NL/NL]; Medevoort 7, NL-5700 DD Helmond (NL), VAN DER LAAM, Evott, Peter [NL/NL]; Stallenboschstraat 130, NL-5642 GM Eindhoven (NL).
- (74) Agents: VALKONET, Rutger et al.; Algemeen Octrooien Merkenbureau, P.O. Box 645, NL-5600 AP Hindhoven (NL).

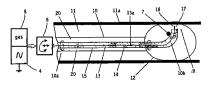
- (81) Designated States unless otherwise indicated, for every kind of pational procession available; P. R. A. G. A. L. A.M. AT. AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DR, DC, DM, DZ, BC, BE, BS, FI, GB, GD, GB, GH, GM, HR, HU, DI, IL, NI, SI, PF, KE, KC, EM, KF, KR, EZ, LC, LK, IR, LS, LI, UL, VI, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, CM, PG, PH, PL, PI, RO, RU, SC, SD, SS, SS, SS, SM, SY, TJ, TM, TM, TR, TT, TZ, UA, UG, US, UZ, VC, VN, VI, ZA, ZM, ZW.
- (84) Designated States (unless otherwise indicated, for every hard or rigional protection available): ARIPO (3W, CH, GM, KB, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Burnsin (AM, ZZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, HE, RS, FI, FR, GB, GR, HU, IE, JS, TL, TL, JU, MC, NL, FL, PT, RO, SE, SI, SK, TR), OAPI (BP, BJ, CP, CG, CI, CM, GA, GN, GG, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 3 August 2006

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: DEVICE FOR CREATING A LOCAL PLASMA AT THE LOCATION OF AN OBJECT



(57) Abstract: The invention relates to a device for creating a local cold plasma at the location of an object, said device at least comprising a high-frequency power source, as plasma discharge electrode disposed in said plasma chamber, which is electrically connected to said high-frequency power source, as well as supply lim for a plasma gas, which opens into the plasma of contents of the plasma discharge electrode. The object of the invention is to provide an improved device as referred to in the introduction, which enables an improved control of the created plasma in radiation to the object. To that end, the device according to the invention is characterized in that the device comprises adjusting means arranged for automatically orienting the plasma discharge electrode relative to the object.

INTERNATIONAL SEARCH REPORT

national application No

			/NL2005/000434
a, classi INV.	FICATION OF SUBJECT MATTER H05H1/24 A61B18/00		
According to	o international Patent Classification (IPC) anto both national o	lessification and IPG	
	SEARCHED		
	ocumentation searched (classification system followed by dat A61B A61C	ssification symbols)	
Documental	tion searched other then minimum documentation to the exten	nt that such documents are included in	the fields searched
	leta base consulted during the International search (name of t ternal, WPI Data, PAJ	dala base and, where practical, search	Terms Used)
0.0000	ENTS CONSIDERED TO BE RELEVANT		
Calegory"	Citation of document, with Indication, where appropriate, of	the relevant passages	Relevant to claim No
x	US 6 475 217 B1 (PLATT ROBERT 5 November 2002 (2002-11-05) column 1, line 66 - column 2, column 3, line 22 - line 27 column 3, line 59 - column 4, column 5, line 25 - line 62 column 7, line 25 - line 62	line 29	1,7,9-12
Y	figures 3-5		2-6,8, 13-15, 19-22
		-/	
X Fun	ther documents are listed in the centiquation of Box C.	X See paton) family ann	ex.
"A" docum consider "E" earlier filleg o "L" docum which citatio "O" docum ofter "P" docum	collegation of classification and which is not declaring the guestral season fire and which is not declared to the control of the control of the control of the declared to the control of the control of the control of declared to the control of the control of the control of the control of the control of the control of season of the control of the control of the control of the control of season published prior to its international filing date but the copyright declared to the control of the control of season published prior to its international filing date but the copyright declared to the control of the control of the copyright declared the control of the copyright declared the the copyright declared the copyright declared	"X" document of particular rele carried be considered now involve an inventive step: "Y" document of particular rele carried be considered to I document is combined with	when the document is taken abone wance; the claimed invention . Involve an invention etch when the thing of more other such docubeing obvious to a parson skilled
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Capostagno, E

INTERNATIONAL SEARCH REPORT

T/NL2005/000434

COCCUMENTS CONCINCION TO BE DELEVANT

Category*	Clietton of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 01/70114 A (RITA MEDICAL SYSTEMS INC; BALBIERZ, DANIEL; EDWARDS, STUART) 27 September 2001 (2001-09-27) page 8, line 1 - line 27 page 18, line 1 - line 27 page 15, line 24 - page 13, line 22 page 15, line 1 - line 30 page 24, line 12 - line 31 page 24, line 28 - page 25, line 25 page 26, line 10 - line 28 page 28, line 30 - line 28 page 35, line 26 - page 36, line 6 page 36, line 18 - page 37, line 29 claims 1,47,50	2-5,8
	figures	
Y	US 5 163 910 A (SCHWARTZ ET AL) 17 November 1992 (1992-11-17) column 5, 11ne 26 - 11ne 67 figures 2,6	6,19
Y	WO 01/62169 A (GYRUS MEDICAL LIMITED; GOBLE, COLIN, CHARLES, OWEN; PENNY, KEITH; HANC) 30 August 2001 (2001-08-30) page 42, line 24 - page 43, line 21	13-15
A	figure 19	21
Y .	W0 95/2411 A (SOCIETE D'EMPLOITATION DENTAIRE: LHUISSET, FRANCOIS) 8 September 1995 (1995-09-08) page 3, 11ne 3 - 11ne 21 page 5, 11ne 9 - page 6, 11ne 9 page 7, 11ne 14 - 11ne 29 figures 2,3	20-22
A	WO 02/47569 A (C.R. BARD, INC; SAGON, STEPHEN, W; BROWN, CHARLES, E., III; GIBSON, Ch) 20 June 2002 (2002-06-20) page 2, Time 22 - page 3, 11ne 4 page 3, 11ne 15 - 11ne 16 page 6, 11ne 1 - 11ne 23 page 7, 11ne 30 - page 8, 11ne 1 page 9, 11ne 6 - 11ne 21 page 13, 11ne 25 - page 14, 11ne 14	1-4
A	AU 661 938 B2 (PHAM YAN NHIEU) 10 August 1995 (1995-08-10)	

INTERNATIONAL SEARCH REPORT

T/NL2005/000434

	ent document In search report		Publication date		Patent temily member(s)		Publication date	
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				CA	2402585		27-09-2001	
				EP	1265532		18-12-2002	
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				AU	3394401	A	03-09-2001	
				- DE	60110379		02-06-2005	
				DE	60110379		16-02-2006	
				EP	1257220		20-11-2002	
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WO	0247569	Α.	20-06-2002	EP	1343426	A1	17-09-2003	
•				EP	1343427		17-09-2003	
				WO	02056783	A1	25-07-2002	
AU	661938	B2	10-08-1995	AU	5397994	A	18-08-1994	

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT

VALKONET, Rutger Algemeen Octrooi- en Merkenbureau P.O. Box 645 NL-5600 AP Eindhoven PAYS-BAS

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 12 October 2005 (12.10.2005)

Applicant's or agent's file reference

215743/RV/in International application No.

PCT/NL2005/000434

Applicant

International publication date (day/month/year)

IMPORTANT NOTIFICATION

International filing date (day/month/year) 14 June 2005 (14.06.2005) Princity data (day/month/year) 15 June 2004 (15.06.2004)

TECHNISCHE UNIVERSITEIT EINDHOVEN et al

- 1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the international Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
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Priority date

Priority application No. Country or regional Office or PCT receiving Office

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